



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
901 NORTH 5TH STREET  
KANSAS CITY, KANSAS 66101

### FINAL DECISION AND RESPONSE TO COMMENTS

06 JAN 2009

**Ashland Distribution  
5420 Speaker Road  
Kansas City, Kansas 66106  
RCRA ID# KSD057889313**

In accordance with 40 CFR 270.41(a)(2), EPA has determined that changes were necessary to Part II of the Permit issued on September 29, 2000, to the subject facility at 5420 Speaker Road, Kansas City, Kansas to reflect the agency's determination that corrective action is complete without controls.

Part II of the Permit was issued to Ashland Distribution Company (Ashland) by EPA to address the requirements of the Hazardous and Solid Waste Amendments of 1984 to the Resource Conservation and Recovery Act because Kansas was not authorized to permit those RCRA requirements.

Soil and groundwater sampling at the site identified the chemicals of concern (COC) as various volatile organic compounds (VOCs), primarily toluene, xylenes, trichloroethylene, dichloroethene, tetrachloroethylene and methylene chloride. Contaminated soils were the main source for groundwater contamination. Hot spots of highly contaminated soil were excavated onsite and a groundwater monitoring system was installed and expanded upon over the years.

Several corrective action remedial alternatives were evaluated by Ashland including air sparging/soil vapor extraction (AS/SVE). The nature of the contamination and subsurface conditions were shown by pilot testing in January, 2000 to be suitable for AS/SVE. A complete system was installed and put into operation the following year after EPA approved the Corrective Measures Implementation Plan (CMI) for this technology.

Groundwater monitoring up through 2007 has shown that concentrations of all constituents of concern are below the action levels of maximum contaminant levels (MCLs) set forth under this Permit and have remained so for over two years. Therefore, the Director has cause to modify Part II of the Permit pursuant to 40 CFR 270.41(a)(2). EPA prepared a draft permit modification in the form of "Corrective Action Complete Without Controls" determination for the facility.

In accordance with 40 CFR 270.42(2), a 60-day public comment period was conducted from September 15, 2008 to November 15, 2008, with notification of review of the permit modification being provided via newspaper publication and fact sheet mailings. An Administrative Record with all relevant background material for review was made available for

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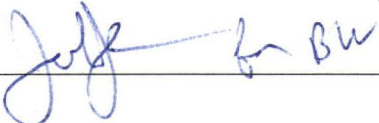
public viewing at the Kansas City Kansas Public Library, West Wyandotte Branch and at EPA Region VII Office in Kansas City, Kansas. No formal comments were submitted during the public comment period. No modifications or changes to the proposed draft permit modification were made as a result of the public comment period. Ashland will perform completion activities as detailed in the Permit Modification and submit a Certification of Corrective Action Completion to EPA within 60 days of notification.

Although modified, Part II of the Permit shall remain in place to address any future RCRA hazardous waste issues that may arise since Kansas is not authorized at this time to permit those RCRA requirements.

Based on the administrative record compiled for this permit modification of "Corrective Action Complete Without Controls", I have determined that this modification for the Ashland Distribution site in Kansas City, Kansas will be protective of human health and the environment.

If you have any questions and/or additional comments, please contact me at ext. 7652.

Attachment

Approved  for BW

12/23/05  
Date

Disapproved \_\_\_\_\_

\_\_\_\_\_  
Date